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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,514	02/11/2002	Matthew Forbes Bramble	2946-5276US(P.6829 USP)	5301
24247	7590	05/09/2006	EXAMINER	
TRASK BRITT P.O. BOX 2550 SALT LAKE CITY, UT 84110			VU, NGOC K	
			ART UNIT	PAPER NUMBER
			2623	

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/073,514

Applicant(s)

BRAMBLE, MATTHEW FORBES

Examiner

Ngoc K. Vu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>5/16/03, 10/15/02</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Drawings

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to because figures 1-4 do not have descriptive labels. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6 recites the limitation "in which audio/visual source equipment of the invention comprises a controllable device" which renders the claim indefinite (emphasis added). It is unclear what the "audio/visual source equipment of the invention" referred to. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Hsu et al. (U.S. 6,384,737 B1).

Regarding claim 1, Hsu discloses a distributed entertainment system for controlling audio/visual source equipment (see figure 3), comprising: at least one command unit (40) for one or more user zones, the or each command unit being configured to receive commands from

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a user (see col. 3, lines 39-45); and a hub (42, 44) for receiving command signals from the or each command unit (see figure 3), the hub having an output for transmitting control signals for controlling audio/visual source equipment (for example, one of devices 14, 18, and 22 is CD player) in dependence upon received command signals (see col. 6, lines 1-4 and 34-36); characterised by a control signal storage unit (24a) for storing dedicated control signals specific to audio/visual equipment to be controlled (see col. 8, lines 61-65 and col. 4, lines 60-65), and characterized in that the hub has an input facility for receiving and storing dedicated control signals from the control signal storage unit, whereby the hub is configured to transmit dedicated control signals in dependence upon received command signals (see figure 3; col. 4, lines 51-55).

Regarding claim 2, Hsu discloses that the hub (42, 44) is operative to receive and store a dedicated control signal in response to user activation of a functional input associated with audio/visual source equipment (14, 18) (see col. 4, lines 33-43; col. 6, lines 1-4 and 34-36 and figure 3).

Regarding claim 3, Hsu discloses that device 24a is used to remotely control the devices 14, 18, and 22 (see col. 6, lines 63-67; col. 4, lines 5-7).

Regarding claim 4, Hsu discloses that the learning remote control unit comprises a first user operable input (46) for sending a predetermined control signal (see col. 4, lines 5-7 and 31-33; figure 4), and a second user operable input (458), which is configurable to send a dedicated control signal (see col. 5, lines 7-11 and figure 4).

Regarding claim 5, Hsu discloses that the control signal storage unit (24a) is operative to store a dedicated control signal sent from a remote control unit (12, 16, or 20) of an audio/visual source equipment component (see col. 4, lines 5-7 and figure 3).

Regarding claim 6, Hsu discloses that the audio/visual source equipment (14, 18, 22)

comprises a controllable device (see col. 6, lines 1-4 and 34-46).

Regarding claim 7, Hsu discloses that the controllable device is air conditioning unit (see col. 6, lines 1-4 and 34-46).

Regarding claim 8, Hsu discloses a method of configuring a distributed entertainment system (see figure 3), comprising: providing at least one command panel (40) in one or more user zones (see col. 3, lines 39-45), and a hub (42, 44) for receiving command signals from the command panel (via 24a) (see figure 3); characterised by: determining control signals for controlling specific audio/visual source equipment (14, 18 or 22) in the distributed entertainment system (col. 5, lines 50-54); storing the control signals in a control signal storage unit (24a) (see col. 8, lines 61-65 and col. 4, lines 60-65); inputting the stored control signals into the hub (via 46a) (see col. 4, lines 51-57); and storing the control signals in the hub such that the hub transmits the stored control signals in dependence upon received command signals (see col. 4, lines 33-43 and 51-57; col. 8, lines 34-38).

Regarding claim 9, Hsu disclose storing control signals corresponding to an audio/visual source equipment function (for example, a code is simply an instruction or command which is understandable to a device 14, 18, 22 to be controlled and which causes that device to perform a particular function) such that the hub transmits the stored control signals in dependence upon a single received command signal (from 12, 16 or 20) (see col. 4, lines 44-55).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chang et al. (US 6,809,779 B2) teach a system and method for allowing a viewe to easily program a remote control device with the parameters of various home entertainment components.

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Kamieniecki (US 20030066080 A1) teaches a method and apparatus to automatically set-up an electronic device having multiple user-controllable functionalities is provided by an arrangement that provides an interactive to a user.

Hermann et al. (US 4,885,803 A) teach a system and method for controlling and distributing the entertainment signals from a plurality of electronic entertainment devices to a plurality of remote locations within a building.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc K. Vu whose telephone number is 571-272-7306. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ngoc K. Vu
Primary Examiner
Art Unit 2623

May 8, 2006